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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Nyle ELLIOTT et al.

Group Art Unit: **3763**

Serial No: **10/720,213**

Examiner: **Manuel A. Mendez**

Filed : **November 25, 2003**

For : **SINGLE USE CATHETER**

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action of June 30, 2005, the Examiner rejected claim 1 as being anticipated by Norton. Claims 2-8 were rejected as obvious over Norton, in view of three secondary references. These rejections are respectfully traversed.

Norton discloses a catheter having an inflation lumen (not shown) in communication with an inflatable balloon 20 through an inflation port 22. The distal end of the inflation lumen has a valve end portion, or arm, 24 for introducing water to inflate the balloon 20 to retain the catheter tip 14 in the bladder.

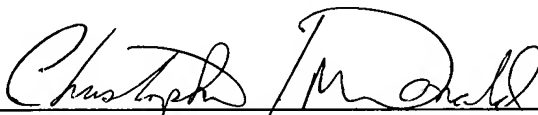
Claim 1 recites a one-way valve and the Examiner states that Norton discloses a one-way valve. However, there is no disclosure to support this statement. The normal operation for catheters, such as disclosed by Norton, is to have a balloon 20 retain the catheter in place. When one wishes to remove the catheter, a syringe is connected to the port 24. Negative pressure drawn by the syringe opens the valve in the balloon and allows the water to be removed from the catheter. The resulting deflation of the balloon allows removal of the catheter. The material of Norton's catheter is sterilizable. Sterilization allows the reuse of the catheter.

The claims in the instant application recite a one-way valve necessitating the cutting of the catheter in order to deflate the balloon. Therefore, the catheter can only be used once. This limitation is not shown in Norton or the other cited art. The secondary references cited by the Examiner do not cure the deficiency of Norton and the claims are allowable over the prior art.

If any issues remain, and the Examiner believes a telephone conversation would resolve such issues, the Examiner is urged to contact the undersigned attorney.

If any fees are due and owing, the Commissioner is authorized to charge Deposit Account No. 08-2455.

Respectfully submitted,


Christopher J. McDonald
Reg. No. 41,533

July 20, 2005

Hoffman, Wasson & Gitler, P.C.
2461 South Clark Street
Suite 522, Crystal Center 2
Arlington, Virginia 22202-3823
(703) 415-0100

Attorney's Docket: A-8730.RFR/bh